

**Moultonborough Planning Board
P.O. Box 139
Moultonborough, NH 03254**

Regular Meeting

July 13, 2016

Minutes

Present: Members: Scott Bartlett, Rich Kumpf, Kevin Quinlan, Allen Hoch,
Norman Larson, Russ Wakefield (Selectmen's Representative)
Alternate: Rich Thorman
Excused: Member: Joanne Farnham
Staff Present: Executive Assistant, Carol Fucarile

I. Pledge of Allegiance

The Chairman opened the regular meeting at 7:00 PM, led the Pledge of Allegiance and then the members introduced themselves and Carol Fucarile (substituting for Bonnie Whitney) to the public.

II. Approval of Minutes

Motion: Mr. Hoch moved to approve the Planning Board Minutes of June 22, 2016, as written, seconded by Mr. Quinlan, carried unanimously.

III. Citizen's Forum - No Comments

IV. New Submissions

1. Christine M. Blackadar (167-1) (99 Redding Lane)
Major Two-Lot Subdivision

The Chair stated that this is a request for a proposed major two-lot subdivision of a 9.79 +/- acre parcel, creating one new lot containing 8.19 acres with a residual lot containing 1.58 +/- acres. The applicant has requested a waiver in a letter dated June 7, 2016, for the remainder lot (proposed Map 167 Lot 1-1) from the Moultonborough Subdivision regulations; Section 4.3.5, which requires the submission of percolation test hole and test pit, data to be provided with respect to soil conditions to show that all proposed lots can support both, water and sewer, on site.

Mr. Bartlett indicated that the application was deemed complete.

Motion: Mr. Quinlan moved to accept the application for Christine M. Blackadar (167-1), and grant the waiver from Section 4.3.5, for the purposes of acceptance only and to schedule a Public Hearing for this evening to be Public Hearing #1, seconded by Mr. Kumpf, carried unanimously.

2. Windward Harbor Homeowner's Association (200-37) (Windward Way)
Site Plan Review

The Chair stated that this is a request for a site plan review to depict the exterior building footprints of all existing dwellings and buildings located on the property, and to depict a proposed addition on Unit 36 consisting of an eighty-eight (88) square foot expansion of an existing deck. A letter, dated June 22, 2016, requests a waiver from Section 10 (A, C & D) and Section 12 of the Site Plan

Review Regulations to not include in a Base Survey the bearings and lengths of the boundaries of the parcel, topography, wetlands, etc., Site Plan Detail – relating to planned roads, existing and proposed utilities, parking, finished contours, etc., Building Design and Layout and Section 12. Documents are already on file under recorded documents containing that information and there is no change to that information.

Mr. Wakefield indicated that the application was in order for acceptance.

Motion: Mr. Wakefield moved to accept the application of the Windward Harbor Homeowner's Association (200-37) (Windward Way) for a Site Plan Review and to grant the waivers from Section 10 (A (Base Survey), C (Site Plan Detail) & D (Building Design and Layout) and Section 12 (Documentation), for the purposes of acceptance only and to schedule a hearing for this evening to be Hearing #2, seconded by Mr. Larson, carried unanimously.

V. Boundary Line Adjustments

VI. Hearings

1. Christine M. Blackadar (167-1) (99 Redding Lane) Major Two-Lot Subdivision

Mr. Wakefield stepped down from this hearing.

This is a request for a proposed major two-lot subdivision of a 9.79 +/- acre parcel, creating one new lot containing 8.19 acres with a residual lot containing 1.58 +/- acres.

Bryan Bailey of Turning Point Land Surveyors & Land Planners of Gilford, New Hampshire, presented the application for Christine M. Blackadar. Mr. Bailey briefly described the location of the property and the existing improvements on the site. The parcel contains a nine (9) acre existing track with an existing home on it. Their proposal is to divide the property into two (2) lots – one for 1.6 acres with the existing house and the remainder lot of 8.2 acres which is vacant land. The subject for the request for waiver is relative to digging a test pit at this time. The lot size and the general characteristics as evidenced by the topography and the soil mapping are more than sufficient to allow for this waiver. The proposed Lot 1-1 is in surplus of the NH DES Subsurface requirement: lots greater than 5 acres shall not be required to provide percolation test and/or test pit data, per NH State Statute SA 485-A:1. The existing house lot has an existing well and septic, but it is not an approved system because it is unknown as to when it was built.

A driveway permit has been requested for Lot 1-1, but he does not know the approval status at this time, but Mr. Bailey explained where the proposed driveway is located on the plat.

They have received subdivision approval by the New Hampshire Department of Environmental Services, Approval No. 2016061401 dated June 14, 2016, copy of which the Planning Board has on file.

Mr. Bailey stated that he would answer any questions the Board may have.

There was discussion concerning the deeded easement to the land behind the subject lot – an access way to the Brian and Maureen Blackadar property (this is noted on the plan under Note 3.3).

A test pit for the newly created lot (1-1) would be delayed until such time as a building permit is requested or the lot is further subdivided.

There were no further questions from the Board. The Chair opened the hearing for public input. Connie Strand of 88 Redding Lane asked for clarification for the subdivision and the waiver. Mr. Bailey explained the subdivision showing the two proposed lots on the plan as well as the request for the waiver of the test pit of Lot 1-1. Ms. Strand stated she now understood.

There being no further questions/comments from the Board or the public, the Chair closed the Public Hearing.

Motion: Mr. Quinlan moved to approve the major two-lot subdivision for Christine M. Blackadar, Tax Map 167, Lot 1, with the following conditions: 1) Add the State Subdivision approval number to a note on the plat; 2) Add the Town of Moultonborough Driveway permit number to a note on the plat; 3) Boundary pins for the new lot shall be set prior to the Chair signing the plat; 4) Add the owner's signature to the plat prior to the Chair signing; 5) The final plat to be submitted to the Development Services Office in electronic format to include both a pdf and an approved cadd file format; and 6) Include the owner names and addresses of the two lots identified on the plan as 167-024 & 167-025 (although they are included on the list), seconded by Mr. Hoch, carried unanimously.

2. Windward Harbor Homeowner's Association (200-37) (Windward Way)
Site Plan Review

Mr. Wakefield returned to his seat on the Board.

The Chair reiterated that this is a request for a site plan review to depict the exterior building footprints of all existing dwellings and buildings located on the property, and to depict a proposed addition on Unit 36 consisting of an eighty-eight (88) square foot expansion of an existing deck. The Chair noted the waiver request letter, dated June 22, 2016, from Section 10 (A, C & D) and Section 12 of the Site Plan Review Regulations to not include in a Base Survey the bearings and lengths of the boundaries of the parcel, topography, wetlands, etc., Site Plan Detail – relating to planned roads, existing and proposed utilities, parking, finished contours, etc., Building Design and Layout and Section 12 (Documentation).

David Dolan of David M. Dolan Associates, presented on behalf of Windward Harbor Homeowner's Association for a site plan amendment. Mr. Dolan gave history of the development of Windward Harbor which includes thirty-six (36) units as well as the location of the property.

Discussion occurred concerning the reason needed to go through the Planning Board process. It was explained that Don Cahoon keeps track of the building permits issued to Windward Harbor, and when there is a more than five hundred (500) square foot accumulated expansion within the Association, the Association needs to come before the Planning Board for an updated site plan review. Mr. Dolan stated that there have been numerous expansions over the years, and at this time, they have reached the five-hundred-foot expansion. Hereafter, a new five-hundred-foot expansion will start from zero for Windward Harbor. Mr. Dolan further explained the plan that was submitted shows the buildings thereon and the lot coverage. Not noted on the plan are slate stepping stone walks and a pergola. All pertinent documents concerning the Association are recorded at the Registry of Deeds.

Mr. Larson encouraged Mr. Dolan to show the pergola on the plan to avoid any questions/issues in the future, and Mr. Dolan agreed.

There were no further questions from the Board. The Chair opened the hearing for public input, it was noted there was none. There being no questions/comments from the Board or the public, the Chair closed the Public Hearing.

Motion: Mr. Quinlan moved to approve the site plan review for Windward Harbor Homeowner's Association Tax Map 200, Lot 37, with the following conditions: 1) Add the Owner's signature to the plat prior to the Chair signing; 2) Add the recorded book and page numbers to the plat referencing the original recorded documents; 3) The final plat to be submitted to the Development Services Office in electronic format to include both a pdf and an approved cadd file format; and 4) Add the approximate location of the pergola adjacent to the beach area to the plat, seconded by Mr. Thorman, carried unanimously.

3. Public Hearing and vote to approve revisions to Subdivision Regulations and Site Plan Regulations

The Chair explained that this is in response to the State of New Hampshire increasing the number of days an applicant shall have to file with the Planning Board prior to the meeting at which time the application will be accepted. The applicant shall now file the application with the Board at least twenty-one (21) CALENDAR days prior to the meeting concerning their application (was fifteen (15) days). Currently, the Moultonborough Site Plan and Subdivision regulations identify it as fourteen (14) days. After a reviewing HB 1202, staff have decided to use nineteen (19) BUSINESS days in our Site Plan and Subdivision regulations in order to facilitate advertising in the local newspapers.

Mr. Wakefield shared another bill that is pending concerning the billboard/newspaper/post office postings wherein in the future, if the bill passes, postings can be online.

Mr. Larson noted that there are two locations in the site plan review regulations for the Town of Moultonborough for the fourteen (14) days to be changed to nineteen (19) days, i.e. 5.B and 4.3A.

There were no further questions from the Board. The Chair opened the hearing for public input, it was noted there was none. There being no questions/comments from the Board or the public, the Chair closed the Public Hearing.

Motion: Mr. Quinlan made a motion to change all references of fourteen (14) day notices in the subdivision and site plan review applications to nineteen (19) business days, seconded by Mr. Kumpf, carried unanimously.

VII. Other Business/Correspondence

1. There was, on the table, a discussion of a potential non-compliance issue (Stephen's Landscaping). The Chair has been advised by the acting Town Planner and Code Enforcement Officer that this issue has been resolved, so any future references to it should be disregarded.

Motion: Mr. Quinlan made a motion to remove, from the table, the Stephen's site plan review compliance matter, seconded by Mr. Wakefield, carried unanimously.

Motion: Mr. Larson made a motion to take no action on the Stephen's site plan review compliance, seconded by Mr. Quinlan, carried unanimously.

2. Review of Zoning Ordinance: Village Overlay District Ordinance:
Jerry Coogan, acting Town Planner, wrote a Memo to the Planning Board identifying some things the Planning Board has been working on. Mr. Coogan would like to present this and additional information to the Planning Board on August 10, 2016.

Mr. Larson noted that he would not be attending on August 10, 2016. Mr. Larson stated the long list of the things are permissible, but the new revision shows all these things were removed. It specifically says “only these permitted uses may occur.” Mr. Larson felt that it is important that they all go in if the Planning Board does something. Mr. Larson stated there was a benefit to this “shopping” list/set of ideas for guidance for people and it grants permission to do things that wouldn’t be allowed in the underlying zoning district, so it is important to include them all. Mr. Larson stated that the Planning Board is trying to encourage people to come forward with ideas for that kind of development – whether they can get a waiver for it or not. Mr. Larson suggested that at the August 10, 2016 meeting it be asked how would you say you can get this waiver for only this zone of the town and not for all of the town?

Mr. Bartlett will encourage the Mr. Coogan to get information out ahead of time so that it can be reviewed prior to the meeting on August 10. Mr. Kumpf suggested that Mr. Coogan take the July 11 and June 22 drafts of the Village Overlay District and modify it and present his proposal. Mr. Bartlett will encourage Mr. Coogan to do that. Mr. Bartlett will work with Mr. Coogan concerning the definition of the proposed node areas by lot references to establish dimensional boundaries.

Motion: Mr. Bartlett made a motion to table the discussion on the VCOD (Village Center Overlay District) until such time as Mr. Coogan can provide substantial input, seconded by Mr. Quinlan, carried unanimously.

3. Master Plan Steering Committee Update:

Mr. Bartlett stated that there was a Steering Committee meeting last night. Mike Izard of LRP will have the draft Vision Chapter and the Land Use Chapter information coming and confirmed that Steering Committee will review this work.

4. Mr. Bartlett, as the liaison to the Conservation Commission, noted that the Lees Pond fundraising is underway. Their target fund goal is \$335,000.

IX. Adjournment: Mr. Wakefield made the motion to adjourn at 8:02 PM, Seconded by Mr. Kumpf, carried unanimously.

Respectfully Submitted,
Carol Fucarile
Executive Assistant